

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDALL TREMAYNE
LONDON,

Plaintiff,

v.

RIVER ROUGE PD, *et al.*,

Defendants.

Case No. 24-10754

Honorable Matthew F. Leitman

Magistrate Judge Elizabeth A. Stafford

ORDER STRIKING PLAINTIFF'S AFFIDAVITS (ECF NOS. 24, 25, 26)

Plaintiff Randall Tremayne London, proceeding pro se and in forma pauperis, brings this civil rights action under 42 U.S.C. § 1983, alleging violations of his Fourth Amendment rights, police misconduct, and malicious prosecution after his home was raided in 2021. ECF No. 1. The Honorable Matthew F. Leitman referred the case to this Court for all pretrial matters under 28 U.S.C. § 636(b)(1). ECF No. 13.

Federal Rule of Civil Procedure 7 authorizes parties to file various pleadings (e.g., a complaint or an answer to a complaint) or a motion that “state[s] with particularity the grounds for seeking” a court order. In August 2024, the Court struck as unauthorized pleadings two documents entitled

“affidavit,” which asserted factual allegations. ECF No. 10; ECF No. 21. In September 2024, London filed three more documents entitled “affidavit.” ECF No. 24; ECF No. 25; ECF No. 26. Two of the new filings are nearly identical to an affidavit that was previously stricken. ECF No. 24; ECF No. 25. The third filing states that London refiled an amended complaint that had been incorrectly filed. ECF No. 26.

Like the affidavits that were previously stricken, these new filings are not authorized pleadings, are not responsive to the pending motions to dismiss, and are not motions requesting a court order. Nor has London filed an amended complaint, as he claimed in his third new filing. ECF No. 26. In its last order, the Court stated that any motion seeking leave to amend or proposed amended complaint must be clearly titled as such. The Court has received no such filing. Thus, the Court **STRIKES** London’s newly filed affidavits as improper filings. ECF No. 24; ECF No. 25; ECF No. 26.

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

Dated: October 18, 2024

NOTICE TO PARTIES ABOUT OBJECTIONS

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.”** E.D. Mich. LR 72.2.

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court’s ECF System to their email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 18, 2024.

s/Davon Allen
DAVON ALLEN
Case Manager